

# **Child on Child Abuse Policy**

Reviewed October 2024

## Child on Child Abuse Policy including sexual violence and sexual harassment (harmful sexual behaviour)

### 1. Context and definition

Child on Child abuse is behaviour by an individual or group, intending to hurt others physically, sexually or emotionally.

It is essential that our staff understand the importance of challenging inappropriate behaviours between peers, many of which are listed below, that are actually abusive in nature. Downplaying certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a culture of unacceptable behaviours, an unsafe environment for children and young people and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it. (KCSIE 2024).

Staff at Worcester Sixth Form College are advised to maintain a zero tolerance approach to child on child abuse and an attitude of ‘it could happen here’. When concerned about the welfare of a student, staff should always act in the best interests of the student.

We recognise that young people are vulnerable to physical, sexual and emotional abuse by their peers or siblings. This is most likely to include, but not limited to: bullying (including cyber bullying), physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexual violence and sexual harassment; sexting (also known as youth produced sexual imagery); initiation / hazing type violence and rituals. A list of definitions is in Appendix 1. Abuse perpetrated by young people can be just as harmful as that perpetrated by an adult, so it is important to remember the impact on the victim of the abuse as well as to focus on the support for the young person exhibiting the harmful behaviour.

This abuse can be motivated by perceived differences e.g. on grounds of race, religion, gender, sexual orientation, disability or other differences and can result in significant, long lasting and traumatic isolation, intimidation or violence to the victim.

Child on child abuse should be addressed as a child protection concern when there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Child on child abuse often involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators having control over the relationship which makes it difficult for those they abuse to defend themselves. This imbalance of power can manifest itself in several ways. It may be physical, psychological (knowing what upsets someone), or social (e.g. isolating or excluding someone). It could also include issues such as revenge porn or what are often gender issues (e.g. girls being touched or boys being involved in initiation activities).

A useful umbrella term used for sexual harassment and sexual violence is “**harmful sexual behaviour**”. The term has been widely adopted in child protection and is used in this policy. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. **Harmful sexual behaviour should be considered in a child protection context.** See [NSPCC: Harmful sexual behaviour](#) for more information on harmful sexual behaviour.

## 2. Responsibility

Keeping Children Safe in Education (KCSIE), 2024 states that;

*'Governing bodies, proprietors and school or college leaders should ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide. Systems should be in place, and they should be well promoted, easily understood and easily accessible for children to confidently report, any form of abuse or neglect, knowing their concerns will be treated seriously, and knowing they can safely express their views and give feedback. Ultimately, all system and processes should operate with the best interests of the child at their heart.'*

Child on Child abuse is referenced in the Safeguarding Policy, however the sensitive nature and specific issues involved with child on child necessitate separate policy guidance. At Worcester Sixth Form College we ensure that any form of abuse or harmful behaviour is dealt with immediately and consistently to reduce the extent of harm to the young person, with full consideration to the impact on that individual's emotional and mental health and well-being.

Child on child abuse will always be taken as seriously as abuse perpetrated by an adult and the same safeguarding procedures will apply in respect of any student who is suffering or likely to suffer significant harm. We will ensure, through training, that staff, volunteers and governors will have an understanding of the range of child on child abuse, including harmful sexual behaviours, and will be made aware of how to recognise and manage such issues. Staff should be aware that some groups are potentially more at risk, for example, female students, students with SEND and lesbian, gay, bisexual or gender questioning students.

Staff should be aware that such incidents and / or behaviours can be associated with factors outside the College and can occur between young people outside the College. Staff, and particularly the DSL and DDSs, should always consider the context in which such incidents and /or behaviours occur.

## 3. Purpose of Policy

The purpose of this policy is to explore some forms of child on child abuse and includes a planned and supportive response to the issues.

The College has the following policies in place that should be read in conjunction with this policy:

- Anti-Bullying
- Safeguarding
- Managing Allegations
- Whistleblowing
- Student Code of Conduct
- Health and Safety
- Online Safety

This policy is supported by the key principles of the Children's Act, 1989 that the child's welfare is paramount. Another key document is Working Together, 2023, highlighting that every assessment of a child, *'must be informed by the views of the child'*. This is echoed by Keeping Children Safe in Education, 2024 through ensuring procedures are in place to hear the voice of the child.

## 4. Abuse and harmful behaviour

It is necessary to consider

- what abuse is and what it looks like
- how it can be managed
- what appropriate support and intervention can be put in place to meet the needs of the individual
- what preventative strategies may be put in place to reduce further risk of harm.

As a College we adopt a zero-tolerance approach to sexual violence and sexual harassment, that it is never acceptable, and it will not be tolerated. It should never be passed off as “banter”, “just having a laugh”, “a part of growing up” or “boys being boys”. Failure to do so can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse, leading to children accepting it as normal and not coming forward to report it

- Children are vulnerable to abuse by their peers. Such abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures.
- Children can abuse other children. This can include (but is not limited to): abuse within intimate partner relationships; bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiation/hazing type violence and rituals.
- Staff should be aware of the potential uses of information technology for bullying and abusive behaviour between young people.
- Staff should be aware of the added vulnerability of children and young people who have been the victims of violent crime (for example mugging), including the risk that they may respond to this by abusing younger or weaker children.

The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other children. Evidence suggests that such children may have suffered considerable disruption in their lives, may have witnessed or been subjected to physical or sexual abuse, may have problems in their educational development and may have committed other offences. They may therefore be suffering, or be at risk of suffering, significant harm and be in need of protection. Any long-term plan to reduce the risk posed by the alleged perpetrator must address their needs.

## **5. What staff should be aware of**

College staff should be aware of the importance of:

- Understanding how important College’s initial response to a report from a student is. How the College respond to a report can encourage or undermine the confidence of future victims to report or come forward. It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe.
- treating equally seriously abuse that occurs online or outside of the College. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report or their experience minimised.
- making clear that child on child abuse including sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- challenging behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia and flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them;
- understanding that all of the above can be driven by wider societal factors beyond the College, such as everyday sexist stereotypes and everyday sexist language. This is why a whole College approach (especially preventative education through the tutorial programme) is important.

## **6. Expected Staff Action**

Staff should consider the seriousness of the case and make a quick decision whether to inform the Safeguarding Officer or Designated Safeguarding Lead immediately before taking any further in-College actions.

### **The following actions must be taken by all staff:**

- Staff must ensure ground rules are set in induction and that students are made aware of the importance of adhering to fundamental British values, what constitutes abuse (including harmful sexual behaviour bullying and cyber-bullying) and how any incidents of abuse can be reported and will be addressed through the Student Conduct Policy
- Pastoral tutors must ensure students understand how to stay safe from abuse through the tutorial programme
- Staff receiving reports of abuse, including incidents that take place off College premises, must inform the DSL or DDSL immediately who will take appropriate action to follow up all allegations/incidents and trigger an investigation which will be managed in line with the Student Conduct Policy. Sanctions against perpetrators may include suspension whilst an investigation takes place and permanent exclusion
- All staff involved must carefully consider the potential impact of the abuse on both the perpetrator/s and the victim/s and refer those involved for additional support from the pastoral support and safeguarding team as appropriate. All concerns must be referred to a Designated Person for safeguarding following the referral process on page 18 of the Safeguarding policy.
- The welfare team and/or Designated Person will consider referring students and their parents/carers to other agencies where appropriate. This may include referral for counselling and to the police as although some types of abuse (e.g. bullying) may not be a specific criminal offence in the UK, some types of harassing or threatening behaviour could be a criminal offence (e.g. under the Protection from Harassment Act 1997)
- All allegations/incidents must be recorded with a statement of facts from the student(s). The DSL will keep a central log of all incidents.
- A risk assessment may be carried out (see Appendix 4)

## **7. Recognising Child on Child Abuse**

An assessment of an incident between peers should be completed and consider:

- a. Chronological and developmental ages of everyone involved
- b. Difference in their power or authority in relation to age, race, gender, physical, emotional or intellectual vulnerability
- c. All alleged physical and verbal aspects of the behaviour and incident
- d. Whether the behaviour involved inappropriate sexual knowledge or motivation
- e. What was the degree of physical aggression, intimidation, threatening behaviour or bribery?
- f. The effect on the victim
- g. Any attempts to ensure the behaviour and incident is kept a secret
- h. The child or young person's motivation or reason for the behaviour, if they admit that it occurred
- i. Whether this was a one-off incident, or longer in duration

It is important to deal with a situation of peer abuse immediately and sensitively. It is necessary

together the information as soon as possible to get the true facts. It is equally important to deal with it sensitively and think about the language used and the impact of that language on both the young person and the parents when they become involved. Avoid language that may create a 'blame' culture and leave a child labelled.

Staff will talk to the children in a calm and consistent manner. Staff will not be prejudiced, judgmental, dismissive or irresponsible in dealing with such sensitive matters.

In gathering the facts, the College will speak to all the young people involved separately, gain a statement of facts from them and use **consistent language** and **open questions** for each account. Ask the young people to tell you what happened. Use open questions, 'where, when, why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?).

In all circumstances where the risk of harm to the child is evident then the College will encourage the young person to share the information with their parent.

## **8. For the young person who has been harmed**

What support they require depends on the individual young person. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends; in which case it is necessary that this young person continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the young person may need support in improving peer groups/relationships with other young people, or some restorative justice work with all those involved may be required.

Other interventions that could be considered may target a wider range of students, for example a speaker on online bullying, relationship abuse etc.

If the young person feels particularly vulnerable it may be that a risk assessment can be put in place for them whilst in College so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

## **9. For the young person who has displayed harmful behaviour**

It is important to find out why the young person has behaved in such a way. It may be that the young person is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as one to one mentoring or counselling may also be necessary.

Particular support from identified services may be necessary through an early help referral and the young person may require additional support from family members.

Once the support required to meet the individual needs of the young person has been met, it is important that the young person receives a consequence for their behaviour. This may be in the form of restorative justice e.g. making amends with the young person they have targeted if this has been some form of bullying. In the cases of sexually harmful behaviour, it may be a requirement for the young person to engage in one to one work with a particular service or agency (if a crime has been committed this may be through the police or youth offending service). If there is any form of criminal investigation ongoing it may be that this young person cannot be educated on site until the investigation has concluded. In which case, the young person will need to be provided with appropriate support and education elsewhere.

It may be that the behaviour that the young person has displayed may continue to pose a risk to others, in which case an individual risk assessment may be required. This should be completed via a multi-agency response to ensure that the needs of the young person and the risks towards others are measured by all of those agencies involved including the young person and their

parents. This may mean additional supervision of the young person or protective strategies if the young person feels at risk of engaging in further inappropriate or harmful behaviour. In following its disciplinary procedures, the College may also choose a punishment as a consequence such as exclusion or suspension for a period of time to allow the young person to reflect on their behaviour.

## **10. Preventative Strategies**

Child on Child abuse can and will occur on any site even with the most robust policies and support processes. It is important to develop appropriate strategies to proactively prevent peer on peer abuse.

This school has an open environment where young people feel safe to share information about anything that is upsetting or worrying them. The College makes sure that 'support and report' signposting is available to young people.

Staff will not dismiss issues as 'banter' or 'growing up' or compare them to their own experiences of childhood. Staff will consider each issue and each individual in their own right before taking action.

Young people are part of changing their circumstances and, through school council and pupil voice for example, we encourage young people to support changes and develop 'rules of acceptable behaviour'. We involve pupils in the positive ethos in school; one where all young people understand the boundaries of behaviour before it becomes abusive.

## **11. Advice for DSL or DDSL where sexual harassment or sexual violence occurs**

Reports of incidents of sexual violence or sexual harassment will be responded to in line with Part 5 of Keeping Children Safe in Education 2024 '.

Where a student discloses safeguarding allegations of a sexual nature against another student in the same setting, the DSL should refer to the Worcestershire Safeguarding Children Partnership website [WSCP](#) and seek advice from the Family Front Door or Community Social Worker before commencing the College's own investigation or contacting parents. This may mean, on occasions, that the College is unable to conduct its own investigation into such incidents. All such incidents will be recorded.

The victim may ask the College not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when a victim makes this request. If the victim does not give consent to share information, staff may still lawfully share it, if it can be justified to be in the public interest, for example, to protect children from harm and to promote the welfare of children.

Any decisions are for the college to make on a case-by-case basis, with the designated safeguarding lead (or a deputy) taking a leading role, using their professional judgement, and being supported by other agencies, such as children's social care and the police as required.

The designated safeguarding lead (or a deputy) should consider the following:

- The basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to children's social care;
- Rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the

starting principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases.

- Parents or carers should normally be informed of any incident of abuse (unless this would put the victim at greater risk);

## **After care**

It is important that following the incident the young people involved continue to feel supported and receive help even if they have stated that they are managing the incident. Sometimes the feelings of remorse, regret or unhappiness may occur at a much later stage than the incident. It is important to ensure that the young people do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm). For this reason, regular reviews with the young people following the incident(s) are imperative.

## **Considering bail conditions**

The term 'Released Under Investigation' or 'RUI' will replace those previously on bail for offences in circumstances that do not warrant the application of bail to either re-attend on a particular date or to include conditions preventing activity or in some cases ensuring compliance with an administrative process.

- Where bail is deemed proportionate and necessary, the College should work with children's social care and the police to manage any implications and safeguard the students and staff. An important consideration will be to ensure that the victim can continue in their normal routine, including receiving a suitable education.

**Appendix 3 shows a summary of the response to a report of sexual harassment/violence**

## **Safeguarding in the curriculum**

The tutorial programme tackles the following topics;

- healthy and respectful relationships;
- what respectful behaviour looks like;
- consent;
- harmful sexual behaviour
- online safety inc the sharing of nudes/semi nudes
- Fundamental British Values
- Self esteem
- How to raise their concerns or make a report to a tutor, Head of Year or any member of staff. They can also do this using the 'report a concern' button on the website in the safeguarding tab. Students are taught to know how any report will be handled. This includes processes when they have a concern about a friend or peer

Through whole group delivery and discussion in tutorials, student surveys, the Student Union and our student focus group we address issues such as;

- gender roles, stereotyping, equality;
- body confidence and self-esteem;
- prejudiced behaviour;
- that sexual violence and sexual harassment is always wrong; and
- addressing cultures of sexual harassment

## Appendix 1

### Definitions

**Bullying:** Behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. This includes any repeated words or actions, which are aimed at causing someone to feel frightened, miserable and helpless. Bullying can take many forms, including:

- Verbal: e.g. name calling, sarcasm, threatening & teasing
- Physical: e.g. pushing, hitting, kicking, punching or any use of physical aggressive contact
- Social: e.g. ignoring, spreading rumours or treating someone like an outsider
- Psychological: e.g. stalking & intimidation

Bullying (including cyber-bullying) can be involved in any type of abuse and is often motivated by prejudice or ignorance due to actual or perceived differences between people or groups or people. People who are lesbian, gay, bisexual or transgender (LGBT), those from minority ethnic groups, or those with disabilities and/or learning difficulties can be more vulnerable to this form of abuse and the College takes it duty to protect more vulnerable learners very seriously.

**Cyber (online)-bullying:** 'Virtual' bullying using technology (e.g. chat rooms, instant messaging, email & mobile phone) which can occur in or outside College. Cyber-bullying can happen at all times of the day, with a potentially bigger audience, as people can forward on content very quickly and easily.

Online bullying can take many forms

- Abusive or threatening texts, emails or messages
- Posting abusive comments on social media sites
- Sharing humiliating videos or photos of someone else
- Stealing someone's online identity
- Spreading rumours online
- Trolling – sending someone menacing or upsetting messages through social networks, chatrooms or games
- Developing hate sites about another person
- Prank calls or messages
- Group bullying or exclusion online
- Anonymous messaging
- Encouraging a young person to self-harm
- Pressuring children to send sexual messages or engaging in sexual conversations

**Harassment:** Any conduct which is unwanted by a student, which affects the dignity of the student or group of students in the College. Harassment may be repetitive or an isolated occurrence against one or more students

## Sharing of nudes/semi nudes

When an incident involving nudes and semi-nudes comes to the attention of any member of staff the incident should be referred to the DSL (or equivalent) as soon as possible.

### Actions by DSL (or equivalent)

- the DSL (or equivalent) should hold an initial review meeting with appropriate staff. This may include the staff member(s) who heard the disclosure and the safeguarding or leadership team who deal with safeguarding concerns
- there should be subsequent interviews with the young people involved (if appropriate)
- parents and carers should be informed at an early stage and involved in the process in order to best support the young person unless there is good reason to believe that involving them would put the young person at risk of harm
- The DSL (or equivalent) will follow processes within the College's Safeguarding/Child Protection policy and Student Conduct policy
- a referral should be made to children's social care and/or the police immediately if there is a concern that a young person has been harmed or is at risk of immediate harm at any point in the process
- in most cases, images or videos **should not be viewed** [Section 2.10 of Sharing Nudes and Semi Nudes: advice for education settings](#) gives further guidance on when an image may need to be viewed

An immediate referral to police and/or children's social care through the MASH or equivalent should be made if at this initial stage:

1. The incident involves an adult
2. There is reason to believe that a child or young person has been coerced, blackmailed or groomed, or there are concerns about their capacity to consent (for example, owing to special educational needs).
3. What you know about the images or videos suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent
4. The images involves sexual acts and any young person in the images or videos is under 13
5. We have reason to believe a child or young person is at immediate risk of harm owing to the sharing of nudes and semi-nudes, for example, they are presenting as suicidal or self-harming.

Young people who have had their nudes or semi-nudes shared publicly should be:

- reassured that they have done the right thing by speaking to an adult and that the education setting and other adults are there to help

advised:

- to delete images or videos from social media accounts (including from cloud photo backups) if they have uploaded them themselves
- to use the IWF and [Childline's Report Remove tool](#). This must be done as soon as possible in order to minimise the number of people that have seen the picture

All incidents relating to nudes and semi-nudes being shared need to be recorded. This includes incidents that have been referred to external agencies and those that have not. Incidents that have not been reported out to police or children's social care, education settings should record their reason for doing so and ensure it is signed off by the Principal or setting's leadership team. Copies of imagery should not be taken.

**Appendix 2** summarises the approach College should take when responding to an incident.

## **Initiation/Hazing**

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The ceremony welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

## **Prejudiced Behaviour**

The term prejudice-related bullying refers to a range of hurtful behaviour, physical or emotional or both, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society – for example disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life, (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity.

**Sharing of nudes/semi nudes (sexting):** Whilst professionals refer to the issue as ‘sexting’ there is no clear definition. Many professionals consider sexting to be sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet but students may be more likely to interpret sexting as writing and sharing explicit messages with people they know. Creating and sharing sexual photos and videos of under-18s, including selfies, is illegal. Sexting involving those under the age of 18 must always be referred to a Designated Person.

**Sexual Harassment & Sexual Violence:** Sexual harassment means ‘unwanted conduct of a sexual nature’ that can occur online and offline. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Whilst not intended to be an exhaustive list, sexual harassment can include;

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- Sexual “jokes” or taunting;
- Physical behaviour, such as: deliberately brushing against someone, displaying pictures, photos or drawings of a sexual nature, interfering with someone’s clothes- we should be considering when any of this crosses a line into sexual violence
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include: non-consensual sharing of sexual images and videos. (UKCCIS sexting advice provides detailed advice for schools and colleges); Sexualised online bullying; Unwanted sexual comments and messages, including, on social media; Sexual exploitation; coercion and threats; Sexual Violence.

This must always be referred immediately to the Safeguarding Officer or Designated Safeguarding Lead. The DSL will follow the guidance in Keeping Children Safe in Education 2024.

Under the Sexual Offences Act 2003 sexual violence is describes as;

- Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

- Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

A useful umbrella term used is “**harmful sexual behaviour**”. The term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context. See [NSPCC: Harmful sexual behaviour](#) for more information on harmful sexual behaviour.

This abuse can:

- be motivated by perceived differences e.g. on grounds of race, religion, gender, sexual orientation, disability or other differences
- result in significant, long lasting and traumatic isolation, intimidation or violence to the victim; vulnerable adults are at particular risk of harm

Children or young people who harm others may have additional or complex needs e.g.:

- Significant disruption in their own lives
- Exposure to domestic abuse or witnessing or suffering abuse
- Educational under-achievement
- Involved in crime

### **Teenage relationship abuse**

Teenage relationship abuse is a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner. This abuse may be child sexual exploitation.

### **Up skirting**

Up skirting typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the victim humiliation, distress or alarm. Since April 2019 Up skirting has been a criminal offence - Under the Voyeurism Act, up skirting offenders can now be arrested, face up to 2 years in prison and have their name placed on the sex offenders register if caught up skirting. This includes instances where culprits say the images were taken just for a laugh.

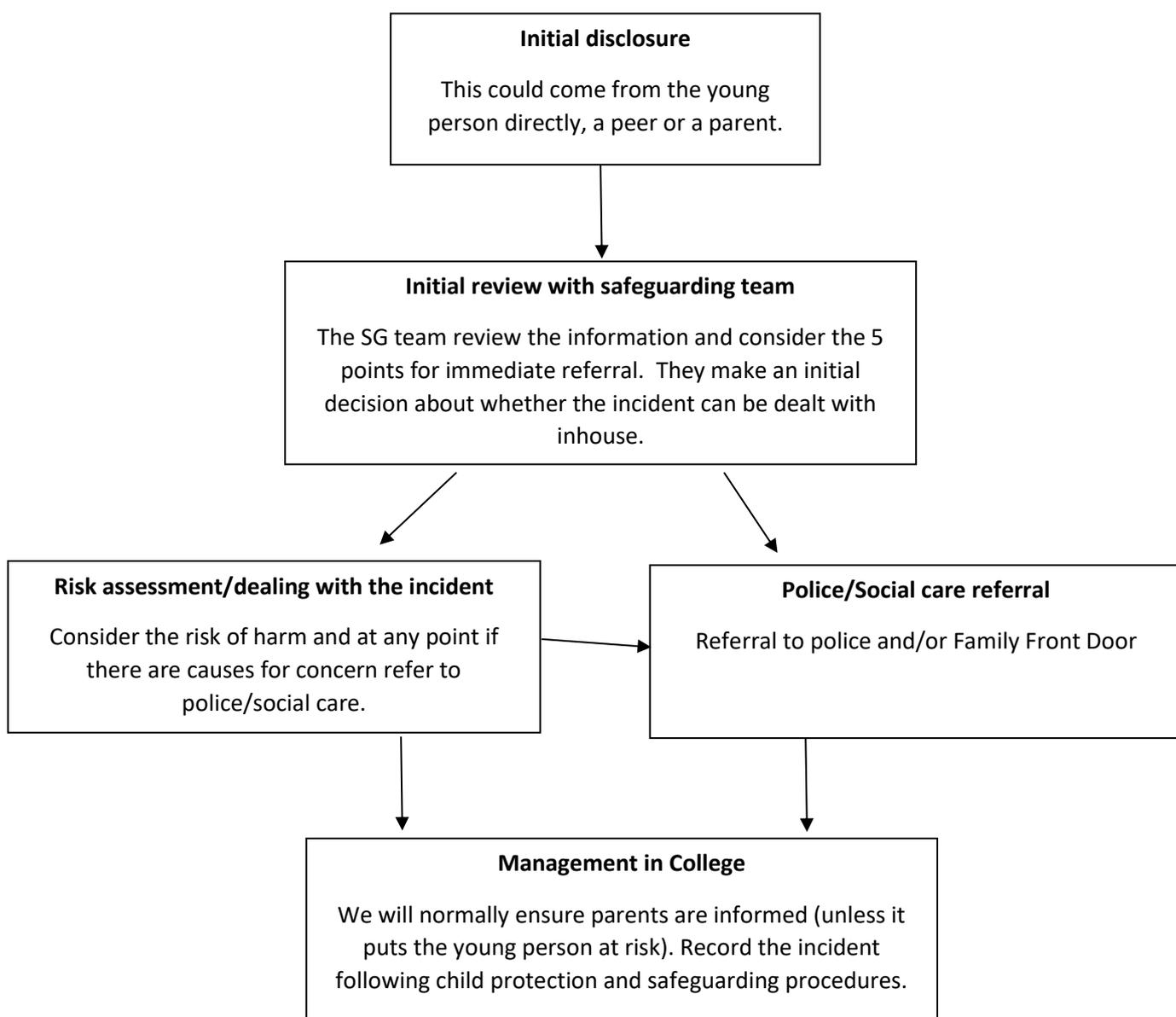
### **What is consent?**

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

- A child under the age of 13 can never consent to any sexual activity
- The age of consent is 16
- Sexual intercourse without consent is rape.

## Appendix 2

### Response to incident of sharing nudes/semi nudes



### Assessing the risks

#### 2.4 Assessing the risks

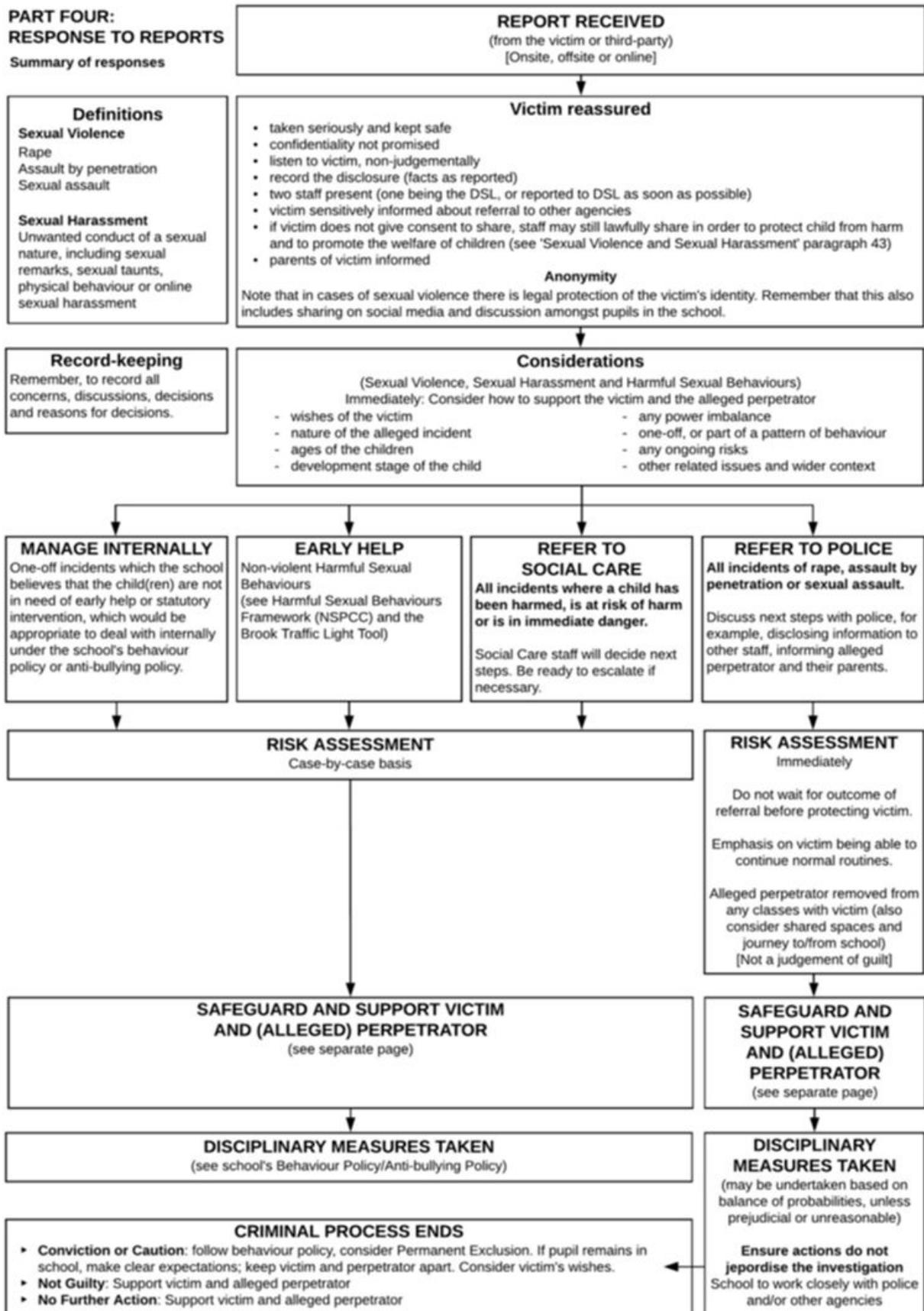
The circumstances of incidents can vary widely. If at the initial review stage a decision has been made not to refer to police and/or children's social care, the DSL (or equivalent) should conduct a further review (including an interview with any young person involved) to establish the facts and assess the risks, referring back to any relevant assessment tools.

When assessing the risks and determining whether a referral is needed, the questions below should be also considered. These questions will help the DSL (or equivalent) decide whether a young person is at risk of harm, in which case a referral will be appropriate, whether additional information or support is needed from other agencies or whether the College can manage the incident and support any young person directly. DSLs (or equivalent) will use their professional judgement in conjunction with that of their colleagues to assess incidents.

- Why was the nude or semi-nude shared? Was it consensual or was the young person put under pressure or coerced?
- Has the nude or semi-nude been shared beyond its intended recipient? Was it shared without the consent of the young person who produced the image?
- Has the nude or semi-nude been shared on social media or anywhere else online? If so, what steps have been taken to contain the spread?
- How old are any of the young people involved?
- Did the young person send the nude or semi-nude to more than one person?
- Do we have any concerns about the young person's vulnerability?
- Are there additional concerns if the parents or carers are informed?

[Annex A](#) of [Sharing Nudes and Semi Nudes: advice for education settings](#) provides further detail on why these questions should be used to complement and support the DSL's (or equivalent's) professional judgement.

# Appendix 3 Response to reports of sexual violence/harassment



## **Managing any reports of sexual violence and/or sexual harassment**

There are four likely scenarios to consider when managing any reports of sexual violence and/or sexual harassment. The response the college takes should be underpinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated. All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

### **1. Manage internally**

In some cases of sexual harassment, for example, one-off incidents, the college may take the view that the student(s) concerned is/are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising their behaviour and bullying policies and by providing pastoral support.

### **2. Early help**

In line with point 1 above, the college may decide that the students involved do not require statutory interventions but may benefit from early help through the Family Front Door. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address nonviolent harmful sexual behaviour and may prevent escalation of sexual violence.

### **3. Referral to children's social care**

- Where a student has been harmed, is at risk of harm, or is in immediate danger, College should make a referral to Worcestershire children's social care through Family Front Door.
- At the referral to children's social care stage, College will generally inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the student at additional risk). Any such decision should be made with the support of children's social care.
- If a referral is made, children's social care will then make enquiries to determine whether any of the children involved are in need of protection or other services.
- Where statutory assessments are appropriate, the DSL or DDSL should be working alongside, and cooperating with, the relevant lead social worker to help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other young people that require support.
- College should not wait for the outcome (or even the start) of a children's social care investigation before protecting the victim and other students in the college. It will be important for the DSL or DDSL to work closely with children's social care (and other agencies as required) to ensure any actions the college takes do not jeopardise a statutory investigation. The risk assessment carried out by the College will help inform any decision. Consideration of safeguarding the victim, alleged perpetrator, any young people directly involved in the reported incident and all students at the College should be immediate.
- In some cases, children's social care will review the evidence and decide a statutory intervention is not appropriate. The school or college (generally led by the DSL or DDSL) should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm. If a statutory

assessment is not appropriate, the DSL or DDSL should consider other support mechanisms such as early help, specialist support and pastoral support.

#### **4. Reporting to the police**

- Any Report to the police will generally be in parallel with a referral to children's social care (as above).
- Where a report of rape, assault by penetration or sexual assault is made, the starting point is this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach.
- At this stage, College will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a student at additional risk. In circumstances where parents or carers have not been informed, it will be especially important that the College is supporting the student in any decision they take. This should be with the support of children's social care and any appropriate specialist agencies.
- Where a report has been made to the police, the college should consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.
- In some cases, it may become clear very quickly, that the police (for whatever reason) will not take further action. In such circumstances, it is important that the College continues to engage with specialist support for the victim as required.

## Annex 4 Risk assessment



<b>Basic information</b>		
Referrer Name and role		
Referrer Contact details (email address and phone number)		
Name of college(s) for victim(s)		
Name of college(s) for child/ren alleged to have caused harm		
Did incident occur on college premises? If not where did the incident occur?		

<b>Considerations</b>	<b>RISK</b> Consider victim, YP alleged to have caused harm, other students, staff	<b>RISK LEVEL</b> High, medium, low	<b>ACTION(S) TO REDUCE RISK</b>	<b>REVISED RISK LEVEL</b> High, med, low
What is the incident? Who was involved? Where did it happen				
Does this incident constitute a crime? Assault, sexual assault, rape, sharing of indecent images of children, etc. Has it been referred to the police?				
Is it necessary to limit contact between the YP involved? Refer to <a href="#">KCSIE 2023</a> & <a href="#">guidance</a>				

Is there an actual or perceived threat from the YP alleged to have caused harm to the victim and/or others?				
Is either the victim or the YP alleged to have caused harm, at risk of physical harm as a result of this incident (eg, bullying or 'retribution' by peers)?				
Do they share classes?				
Do they share break times? Do they share peer/friendship groups?				
Do they share transport to/from college?				
Are they likely to come into contact with each other (or anyone else involved in/with knowledge of the incident) outside of college?			How can such contact be limited?	
Is there a risk of harm from social media and gossip?				

**Further action taken by the college: Please complete for each student involved.**

<b>Student 1</b>		
<b>Action</b>	<b>YES/NO</b>	<b>Date</b>
Police informed		
Referral to MASH		
Referral to external support services		
Referral to internal support services		
Referral to CAMHS		
Referral to early help		
Other		

<b>Student 2</b>		
<b>Action</b>	<b>YES/NO</b>	<b>Date</b>
Police informed		
Referral to MASH		
Referral to external support services		
Referral to internal support services		
Referral to CAMHS		
Referral to early help		
Other		

## Appendix 5 Support for Schools and Colleges

- [Working Together to Safeguard Children](#) sets out details of the wider child protection system, inter-agency working and schools' and colleges' role in it.
- Part one of [Keeping Children Safe in Education](#) (which all college staff should read) and [What to do if you're worried a child is being abused](#) provide information for all staff on indicators to look out for and advice on what they should do if they have concerns about a child.
- The police will be important partners where a crime might have been committed. Where a report of rape, assault by penetration or sexual assault is made, the starting principle is that this should be referred on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice approach in these cases.
- Referrals to the police will often be a natural progression of making a referral to children's social care. The designated safeguarding lead (or a deputy) should be leading the schools or college's response and should be aware of the local process for referrals to children's social care and making referrals to the police. The DSL liaises closely with the local police [When to call the police](#)
- The NSPCC provides a helpline for professionals at 0808 800 5000 and [help@nspcc.org.uk](mailto:help@nspcc.org.uk). The helpline provides expert advice and support for college staff

Sexting Guidance for schools [Guidance](#)

- Support from specialist sexual violence sector organisations such as [Rape Crisis](#) or [The Survivors Trust](#).
- The Anti-Bullying Alliance has developed guidance about [preventing and responding to sexual bullying](#)

The UK Safer Internet Centre provides an online safety helpline for professionals at 0344 381 4772 and [helpline@saferinternet.org.uk](mailto:helpline@saferinternet.org.uk). The helpline provides expert advice and support for college staff with regard to online safety issues and will be especially useful for the DSL (and their deputies) when a report of sexual violence or sexual harassment includes an online element.

- Internet Watch Foundation: If the incident/report involves sexual images or videos that have been made and circulated online, the victim can be supported to get the images removed through the [Internet Watch Foundation](#) (IWF). The IWF will make an assessment of whether the image is illegal in line with UK Law. If the image is assessed to be illegal, it will be removed and added to the IWF's Image
- UKCCIS Sexting advice: Sharing indecent images of a child (including by children) is a crime: [UKCCIS](#) advice provides support in responding to reports of sexting (also known as youth produced sexual imagery).
- [Thinkuknow](#) from CEOP provides support for the children's workforce, parents and carers on staying safe online

